

**Notice of Allowability**

Application No.

09/831,214

Examiner

Philip C. Tucker

Applicant(s)

SPOWART, ALEXANDER ROLLO

Art Unit

1712

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview of 5/18/05.
2. ☒ The allowed claim(s) is/are 3,5,6,8,10-16 and 19-29.
3. ☒ The drawings filed on 8/8/01 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

Philip C Tucker  
Primary Examiner  
Art Unit: 1712

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Greg Lavorgna on 5/18/05.

The application has been amended as follows:

Amend claim19 as follows.

19. (Currently Amended) A method of making a dopant for use in providing a document with a covert security feature, said dopant having a complex visible wavelength absorption spectrum including multiple identifiable absorption features and which can be identified by examination of said visible wavelength absorption spectrum, measured in either reflective or transmissive mode, in response to broadband visible wavelength photon radiation, comprising fusing one or a combination of the elements Barium, Zinc, Lanthanum, Samarium, ~~Lead~~, Praseodymium, Magnesium, Europium, Strontium, Boron-10, Titanium, Neodymium, Chromium, Holmium, Iron, Thulium, Caesium, Cadmium, Molybdenum, Antimony, Nickel, Erbium, Tungsten, Lutetium, Cobalt, Tin, Sodium, Potassium, Terbium, in elemental form or as an oxide or salt, in a glass and subsequently micronising said glass into a fine powder, thereby altering said visible wavelength absorption spectrum of the dopant, said dopant exhibiting no UV, visible or IR stimulated output.

In the specification, at page 1, before line 1 insert:

--This application is a 371 of PCT/GB99/03692 filed on November 8, 1999 .--

In the specification on page 3, line 12 insert:

--Brief Description of the Drawings --

2. The following is an examiner's statement of reasons for allowance: Applicants amendment inadvertently reinstated lead in claim 19. The deletion thereof is seen as distinguishing over Langley. The present invention utilizing an inorganic dopant which has been fused with other elements and micronized, before being applied, such that the security document does not have stimulated UV, visible or IR output wherein the dopant is fused in a glass, or the specific embodiments of claims 21 and 22 is not taught or suggested by the art of record. Voets and Ziolo are distinguished in using a resin instead of glass, having absorption in the visible spectrum, and not having a quantity of an element of atomic number greater than 36 mixed therein. With respect to the documents cited on the International Search Report, WO '509, EP '754, EP '902, DE '401 all teach a stimulated light response to light stimulation, and fail to teach the specific micronization. EP '554 fails to teach the micronization, and uses a visible response method. DE '853 teaches a photochromic method, and fails to teach the micronization. FR '191 fails to teach the specified micronization. EP '507 uses a thread


which is visible or responds to light stimulation. None of these are deemed to anticipate or render the current invention obvious to one of ordinary skill in the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C. Tucker whose telephone number is 571-272-1095. The examiner can normally be reached on Monday - Friday, Flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Philip C Tucker

Application/Control Number: 09/831,214  
Art Unit: 1712

Page 5

Primary Examiner  
Art Unit 1712

PCT-3371